

**Draft Summary of the
On-Site Assessment Committee Teleconference
February 21, 1997**

The On-Site Assessment Committee of the National Environmental Laboratory Accreditation Conference (NELAC) met by teleconference on Friday, February 21, 1997. Mr. Gary Bennett, Chair of the committee, led the meeting. A list of action items is given in Attachment A. A list of participants is given in Attachment B.

INTRODUCTION

After welcoming remarks, Mr. Bennett stated that he had been asked to participate in a teleconference later today with the NELAC Board of Directors concerning a discussion of the role of NELAC assessors. Is their role only to inspect the laboratory and point out deficiencies or should it also include the offering of information and technical assistance? Input from committee members was solicited and the topic was discussed.

The following major points were offered by committee members:

- Technical assistance from one assessor might conflict with another assessor's ideas.
- Extensive technical assistance takes time away from assessment activities.
- Technical assistance seems to foster the concept of the assessor as a partner with the laboratory rather than an evaluator of lab capabilities.
- Assessors may want to give labs an idea of where to locate appropriate technical and accreditation information.
- The size of the lab may dictate the degree of technical assistance needed.
- Some assessor bodies provide some degree of technical assistance but tend to stay away from prescriptive guidance. It may be appropriate to provide options and let the lab make choices.

Gary Bennett summarized the discussion by saying that it appears the consensus is that the primary role of the assessor is to evaluate the laboratory, note any deficiencies which are discovered, but not to provide extensive technical assistance. However, assessors should be able to direct the laboratories to references which allow the labs to make informed decisions on technical issues or corrective action. Assessors should avoid giving opinions or verbal directives which may be misinterpreted at subsequent evaluations. If Accrediting Authorities wish to provide major technical assistance to the laboratories, it is advisable to do this apart from the on-

site assessment in most cases.

ASSESSOR TRAINING MANUAL COMMENTS

Chapter 3: “Assessor Conduct”

Jan Jablonski was unable to join the teleconference. She was to receive comments and suggestions from the committee on Chapter 3 of the NELAC On-Site Assessor’s Training Manual and discuss them with the committee. Wayne Davis said that he would call Ms. Jablonski. Gary Bennett asked for committee input on Chapter 3, “Assessor Conduct.” Comments are summarized below:

- ! Section 3.3.2, 8th bullet. Delete reference to draft versions. File only needs to include the final report.
- ! Section 3.3.2, 3rd bullet. It was asked how many assessors actually document each and every phone conversation. It was noted that the chain of official correspondence should suffice for documentation.
- ! Section 3.3.2, 6th bullet. Photographs generally are not taken. They are requested when someone is trying to document the existence of a laboratory, or to visually verify that corrective actions have been taken.
- ! Section 3.3.2, “Records” seems to be a bit off-topic with respect to the chapter title “Auditor Conduct.” How does this section integrate with assessor conduct?
- ! Section 3.1, item no. 4, “Assessors shall not use their position for private gain.” This seems vague and needs clarification. Some assessors are involved in private practice and are paid to conduct assessments. This whole section may need review and rewording.
- ! Section 3.2, introduction to last set of bullets. The sentence reading “...allowed 15 working days to do one of the following” should be changed to “...allowed 15 working days to do a minimum of one of the following.”
- ! Section 3.2, last paragraph beginning “In most cases, accrediting authorities...” should be deleted entirely.
- ! In general, several spots in this chapter seem to drift away from the main topic. Committee members should communicate with Ms. Jablonski about this. The chapter should be more restricted to conduct and have less emphasis on the assessment report and records.

Assessor Training Course

The committee discussed the on-site assessor training course development, including prototype courses to model the course after, length of the course, need to be on-site to receive training, exemption of the course, specific courses for specific types of auditors, definitions of successful course completion, grandfathering of assessors, and need for periodic retraining.

Steve Baker said that his subcommittee on assessor training could draft at least an outline of the scope of a General Assessor Training course before the July NELAC meeting.

The committee then discussed in some detail the various questions associated with grandfathering of assessors. Grandfathering for assessors is wanted by some states. Some states want a clear license to proceed using their current staff members and without any additional educational requirements. Others seemed to be saying they would participate in refresher courses, but did not want to take the initial training course. Others thought in terms of allowing assessments to proceed, but to set a time limit by which assessors must meet training requirements. *This discussion was tabled by the Chair until the Illinois EPA comments on section 3.2.2, Basic Qualifications, which deal with “grandfathering” are addressed by the committee.*

DRAFT 4, CHAPTER 3, SECTION 3.4.5 CONFIDENTIAL BUSINESS INFORMATION

The Chair asked for comments on the confidential business information section 3.4.5. Following some general discussion of comments received by the committee, the Chair asked the committee to go through Draft 4, submitted by Dr. Jefferson Flowers at the February 1997 interim meeting, on a sentence-by-sentence basis.

- ! Section 3.4.5, first paragraph, line 3. "This information is for the purposes of accreditation only." There was considerable discussion about the addition of this sentence to the section. State and EPA representatives expressed concern that the sentence may be too restrictive, and might prevent State or Federal enforcement or compliance action to protect human health or the environment. The committee consensus was to omit this sentence.
- ! First paragraph, line 6. The addition of "and will be followed in NELAP related matters " was accepted.
- ! Second paragraph, line 1; addition of "consistent with 40CFR Part 2" was accepted. Lines 4 and 5; accepted. Lines 10 and 11; leave in the word "information," otherwise, accepted. Line 13; accepted. Line 16; accepted.
- ! Lines 19 and 20; add to the end "...as CBI 'until an official determination has been made.'"
- ! Paragraph 3, last sentence. Committee agreed to leave this sentence in.
- ! Paragraph 4. This paragraph was originally included in paragraph 3. Committee agreed that making it a separate paragraph was acceptable.
- ! Paragraph 5, lines 7,8,9. The language "or standard business information received in the ordinary course of business covered by the confidentiality agreement between the laboratory and their client" was added in draft 4. The committee agreed to delete this addition because it appeared to pre-define a category of information which would be considered CBI
- ! Paragraph 5, lines 12 and 13. The phrase "inconsistent with 40CFR Part 2" was added. This was left in. Line 17, addition of item 2, "remove the claim of CBI" is acceptable. Committee agreed to re-insert point 2 in draft 3 as point 3 in draft 4.
- ! Paragraph 5, last sentence. Committee agreed that the addition of "may pursue any or all of the above stated actions" was preferable to "exercise the withdrawal option as indicated in item number 4 of this paragraph" and agreed to leave the preferred language in draft 4.

DISCUSSION OF OTHER COMMENTS RECEIVED AT FEBRUARY 3, 1997

COMMITTEE MEETING

From Illinois EPA -- Discussion of these comments will begin during the next scheduled teleconference.

From Teresa Adams -- To be discussed in the next teleconference.

NEXT MEETING

The next meeting will be by conference call on Wednesday, March 19, 1997 12:30 to 2:30 pm eastern time. G. Bennett will set up the call and let committee members know the number and code.

Attachment A

**ACTION ITEMS
On-Site Assessment Committee
February 21, 1997**

ACTION	Date Completed
Wayne Davis is to call Jan Jablonski by March 7, 1997 regarding comments she may have received on Chapter 3 of the Assessor Training Manual	
Committee will finalize the CBI section at the next meeting on March 19, 1997	
Committee members will review the Illinois EPA statements and will also review the letter from the Ohio EPA regarding their interest in grandfather clauses by March 14, 1997	

LIST OF PARTICIPANTS
On-Site Assessment Committee Teleconference
February 21, 1997

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